THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2965 OF 1999

13.02.2006

Between:

Smt.Basheerunnisa Begum, W/o.Mir Mustaba Hussaini

And others

… Petitioners

AND

The Secretary to Government of Andhra Pradesh,

Revenue Department, Hyderabad

And others

… Respondents

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ORDER:

The petitioners claim to be owners of land admeasuring Acs.4.14 guntas comprised in survey No.58/1 (Old) and survey No.127/1 (New) of Bhaloolkhanguda, Secunderabad. They allege that the respondents so as to establish Rythu Bazar, put up stalls on the land without initiating proceedings under Land Acquisition Act, 1894 (the Act, for brevity). Therefore, they filed the present writ petition seeking a writ of Mandamus declaring the action of the respondents in trying to construct Rythu Bazar on the land as illegal and arbitrary.

The writ petition was filed way back on 15.2.1999. Though the writ petition was admitted on 16.2.1999, this Court was not inclined to pass any interim order. By reason of this, it is not denied, Rythu Bazar has already been established and at this point of time, the writ prayer cannot be granted. It is, however, open to the petitioners to approach the District Collector, the third respondent herein, for compensation. As and when such claim is made, the third respondent will verify the right, title and entitlement of the petitioners and take necessary action in accordance with law. This

exercise may be completed within a period of four months from the date of application that has to be made by the petitioner.

The writ petition, with the above observation and direction, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

February 13, 2006

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